

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LODSYS, LLC,

Plaintiff,

V.

DRIVETIME AUTOMOTIVE GROUP, INC.;  
ESET, LLC;  
FORESEE RESULTS, LLC;  
LIVEPERSON, INC.;  
OPINIONLAB, INC.;  
THE NEW YORK TIMES COMPANY,

Defendants.

CIVIL ACTION NO. 2:11-cv-309

## ORDER OF DISMISSAL WITHOUT PREJUDICE

In consideration of Plaintiff Lodsys, LLC's Notice of Dismissal of all claims between Plaintiff Lodsys, LLC and Defendant The New York Times Company, it is ORDERED, ADJUDGED, AND DECREED that all claims asserted in this suit between Plaintiff Lodsys, LLC and Defendant The New York Times Company are hereby dismissed without prejudice.

It is further ORDERED that all attorneys' fees, expenses, and costs are to be borne by the party that incurred them.

SO ORDERED.

**SIGNED** this 15th day of November, 2011.

Dave Johnson

DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE